SRI D. DEVARAJ URS. —The case is there I will look into the matter. Now I have nothing to say.

MR. SPEAKER.—I call Sri N. B. Sirdesai to raise a matter under rule 312.

Matter under rule 312

re: Grant of Gun licences to cultivators in Forest Areas

SRI N. B. SIRDESAI (Belgaum).—I wish to raise a matter under rule 312 regarding grant of gun licences to cultivators in Forest areas and dropping legal proceeding against them.

SRI D. DEVARAJ URS.—I wish to make the following State ent.

It is a fact that Khanapur Taluk of Belgaum District is covered by thick forests and is inhabited with wild animals and vast areas of cultivable lands are located next to the thick forests. It is necessary for the cultivators residing in such areas to possess arms for crop protection. The allegation that the Tahsildar, Khanapur, and the Sub-Divisional Magistrate, Belgaum, have not acted quickly during the last three or four years in disposing of applications for renewal of gun licences from Khanapur taluk appears to be not correct. The present position indicates that applications for renewal of licences are not pending in office of the Sub-Divisional Magistrate Belgaum, and only four applications for grant of arms licences for self-protection in respect of Khanapur Taluk, have been received recently and are pending. As regards licences for crop protection, there are in all 2,260 licences in Khanapur Taluk. Out of them 2,154 licences have been renewed beyond 31-12-1978, 42 licences are pending in Tahsildar's Office and in respect of the remaining 64 licences, licences have not applied for renewal. As regards applications for fresh licences, about 113 applications have been received by the Tahsildar, Khanapur. Out of them 56 have been disposed off, 51 are pending with the police for enquiry and 6 are pending in the Tahsildar's Office, Khanapur.

The details of unlicenced weapons seized by Police in Khanapur Taluk (year-wise) are given below:

1.	1968	...	103
2.	1969	...	nil
3.	1970	...	1
4.	1971	...	1
5.	1972	...	nil
6.	1973	...	2

7.	1974	...	10
8.	1975	...	1
9.	1976	...	1
10.	1977	...	9
11.	1978	...	10
12.	1979 upto 31-3-79	...	53

The number of weapons seized by police for failure to get licences renewed are as follows :

1.	1968 to 1976	...	nil
2.	1977	...	3
3.	1978	...	4
4.	1979 (upto 31-3-79)	...	nil

As regards regularisation of the unauthorised weapons seized during 1968 in certain cases sanction for prosecution was not accorded by the District Magistrate, Belgaum, under Section 39 of the Arms Act and licences were issued to the said persons subsequently and the weapons were restored to them. As per the instructions of Government of India, the District Magistrate may withhold sanction for prosecution, if a person is possessing an unlicenced gun for *bonafide* crop protection without any criminal intention. There are no delays of the types mentioned in the grant of licences or in the matter of renewal. It is not the policy of Government to encourage possession of arms without valid licences. The licencing authorities are being directed to dispose off the applications for grant and renewal of licences promptly. As regards regularisation of unauthorised arms recently seized by the police, sanction for prosecution will be with held only in deserving cases and action will be taken to restore the weapons in such cases. In all other cases, the law requires prosecution of holders of the illegal arms.

SRI N. B. SIRDESAI.—I would like to appeal to the Hou'ble Chief Minister to the fact that as to how the cultivators who are in the forest areas have been subjected to injustice and what circumstances have forced them to possess unauthorised weapons. You have already admitted that the Khanapur Taluk is full of thick forest and full of wild animals like Bisans wild bears Sambars, rabits etc. which devasted standing crops raised by the cultivators each year in the forest area. They have been put to heavy loss. Many of the licence holders have expired and their successors have applied for new licence to possess new guns, but the Tahsildar Khanapura Taluk has not granted new licences to the successors. They have been departes with guns for years together. Tahsildar has not granted gun licenced

to the successors of the licences. Like this they have done injustice. And I say that incorrect information has been supplied to our Hon'ble Chief Minister. It is not correct that the Tahsildar has not received applications from licences. or renewal and also for fresh grant this is what I want to bring to the kind notice of our Hon'ble Chief Minister About four thousand acres of surplus land has been granted to the landless. And also about 2500 acres of Revenue waste land has been granted, grantees of such lands have also applied for the gun licences. When such cases are brought to the notice of the authorities they have been ignored. These lands are situated in the forest area. Agriculturists need licence to possess weapons. Our Taluk is situated in the hilly area. The hilly area comprises of ups and downs. Every cultivator needs weapons and without weapons it is practically impossible to protect themselves and their crops. I appeal to you Sir that unless you take into consideration the circumstances in which they are placed and grant them gun licences, it will be very difficult for them to live there. Last time the Government was kind enough to regulate the unauthorised possession of guns and granted new licences. This time also I request you to please grant them new licences. The Government should not take a purely legalistic view against the poor cultivators. They are not criminals. They lag far behind in commiting criminal offences.

SRI D. DEVARAJ URS.—As I have already said there are 113 new licences being applied for. Some are disposed off, and some are pending which will be disposed of as early as possible. Prosecution are not ordered by the Magistrate; atleast the persons who possess unauthorised weapons must be looked into. I hope the Hon'ble Member will appreciate that point. We are liberal in regulating unauthorised licences. At the same time, I cannot say that licences should be simply given away. I will give instructions not to harass people unnecessarily. Even the District Magistrate has been very liberal he has not launched many prosecutions. The Magistrate has to exercise his powers and he has to find out the persons holding guns without licence. Only thing is we have to make a distinction between the persons who are having guns for self-protection and persons who are having guns for poaching.

I have to make enquiries and make a distinction, otherwise every body will have a licence and start killing animals. The animal world has to live. I cannot allow poaching in the guise of giving some protection.